

## REMARKS

1. Claims 1-49 are pending in this application. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the discussion that follows.

The claims are subject to a restriction requirement. In particular, the Examiner asserts that the claims include a "Group I. Claims 1-27, drawn to subject matter wherein functions contained within one or more executable code libraries (e.g., a dynamic link library or DLL) are called as needed at runtime by one or more application programs" and a "Group II. Claims 28-49, drawn to subject matter comprising means or steps directed to executing jobs immediately after they are received by a system and occurring in groups (i.e., transaction processing)" (Office Action of 4/3/06, page 2). In response, the applicant elects Group I (claims 1-27), with traverse.

2. In general, "There are two criteria for a proper requirement for restriction between patentably distinct inventions: (A) the inventions must be independent . . . and (B) There must be a serious burden on the examiner" (MPEP §803.01). In the case at hand, the Examiner has failed to meet either criteria.

In addition, "Examiners must provide reasons and/or examples to support conclusions" (MPEP §803.01). In the case at hand, the Examiner asserts that somehow the claims of Group II are directed to executing jobs immediately. However, the Examiner has failed to provide any basis for believing that the jobs of the claims of Group II are executed any faster than the jobs of the claims of Group I.

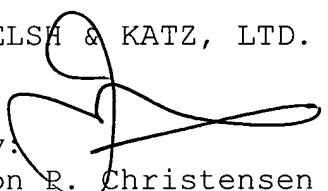
Further, there are no limitations within the claims of Groups I or II substantiating the assertion.

Consequently, a search directed to Group I would necessarily require the searching of the features of Group II. Thus, there is no purpose served by the restriction since no reduction in the number of search classifications or scope of search is achieved. Further, the practicalities and efficiencies of searching all categories at one time would be totally lost if restriction is required, resulting in duplicative searching which is wasteful of the Patent Office's time and effort.

3. Allowance of claims 1-49, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

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